IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTIETH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

-

WRIT PETITION NO : 6830 of 2005

Between:

Jamiya Masjid Committee, 3/357, Main Road,
Yemmiganur, Yemmiganur Mandal, Kurnool
District -518 360. rep. by its President,
Dr.M.Naddimulla.

.... PETITIONER

AND

1 The District Collector, Kurnool, Kurnool District.
2 The R.D.O., Adoni, Kurnool District.
3 The M.R.O., Yemmiganur Mandal,
Yemmiganur, Kurnool District.

.RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of a Writ of Mandamus declaring the action of the respondents in not considering the case of the petitioner for alienation of land in Survey No.203 and extent of acre 1.10. cents survey No.104/C an extent of 0.66 cents of Yemmiganur Village, Yemmiganur Mandal, Kunool District under G.O.Ms.No.1406, Revenue, dt.28-07-1958, G.O.Ms.No.1724 & 1725, revenue, dt.26-08-1959 and board standing order 15, para-10(5), as illegal, arbitrary and unconstitutional and consequently direct the respondents to consider the case of the petitioner for alienation of land either of market value or free of cost.

Counsel for the Petitioner: MR.G.DASARADHA RAMI REDDY

Counsel for the Respondents : GP FOR REVENUE

The Court, at the stage of admission, made the following:

ORDER:

Petitioner seeks a declaration that the action of the respondents in not considering the case of the petitioner for assignment of lands in Survey No.203 an extent of Acs.1.10 cents and Survey No.104/C an extent of 0.66 cents situated in Yemmiganur Village, Kurnool District, under G.O.Ms.No.1406, Revenue, dated 25.07.1958, G.O.Ms.No.1724 and 1725, Revenue, dated 26.08.1959 is arbitrary and illegal.

The petitioner states that the said land is in its possession for the past several years and that it is entitled for assignment of the said lands on payment of market value as provided under G.O.Ms.No.1406, Revenue, dated 25.07.1958 as well as G.O.Ms.No.1724 and 1725, Revenue, dated 26.08.2004. Accordingly, it made representations dated 22.08.2003 and 27.09.2004 requesting the first respondent-District Collector, Kurnool to assign the said lands in its favour, but the first respondent failed to consider the same and no orders have been passed so far. Hence, this writ petition.

Having heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for the respondents, without expressing any opinion as to the entitlement of the petitioner for grant of assignment in terms of the provisions of G.O.Ms.No.1406,1724 and 1725, Revenue, dated 25.07.1958 and 26.08.1959 respectively, the writ petition is disposed of with a direction to the respondents to consider the representations of the petitioner dated 22.08.2003 and 27.09.2004 and pass appropriate orders, in accordance with law, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. No order as to costs.

_____

30.03.2005

NOTE : Furnish C.C in three days.

(B/o)

sh
To

1 The District Collector, Kurnool, Kurnool District.
2 The R.D.O., Adoni, Kurnool District.
3 The M.R.O., Yemmiganur Mandal,
Yemmiganur, Kurnool District.

4 Two CCs to the G.P. for Revenue, High Court of A.P.,
Hyderabad (OUT)

5 2 CD copies